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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,609	10/30/2000	Raymond Krasinski	US000284	6797

36257 7590 05/23/2003

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EXAMINER

KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 05/23/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/699,609

Applicant(s)

KRASINSKI, RAYMOND

Examiner

Alford W. Kindred

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2172

### DETAILED ACTION

1. This action is responsive to communications: application, filed on 02/26/03.

This action is made final.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 9-15, and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,991,713 Unger et al. in view of Crandall, US# 5,991,949.

As per claims 1-2, Unger et al. teaches "identifying said data elements in said document; compressing only said data elements in said document using a compression algorithm" (see col. 8, lines 7-66). Unger et al. does not explicitly teach "wherein said document before and after the compressing step is in a given file format" (see col. 16, lines 3-28). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Unger and Crandall, because using the steps of "wherein said document before and after the compressing step is in a given file format", would have given those skilled in the art the tools to ability to process compressed and uncompress data regardless on the data format. This gives users the advantage of processing compressed/uncompressed data faster.

As per claims 3-4, Unger et al. teaches "inserts said identifier in a root node tag element" (see col. 6, lines 3-67).

As per claims 5-6, Unger et al. teaches "transmitting said compressed document" (see co. 8, lines 6-34).

As per claims 9-10, Unger et al. teaches "XML document" (see col. 5, lines 1-12).

As per claims 11-15, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-6 and are similarly rejected.

As per claims 18-21, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-3 and are similarly rejected.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-8 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger et al. in view of Crandall and further in view of Dietz, US# 6,175,820 B1.

As per claims 7-8, Unger et al. does not teach "generated in real-time by a speech recognition system." Dietz teaches "generated in real-time by a speech recognition system" (see abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention for one of ordinary skill in the art to have combined the teachings of Unger with Dietz above, because using the steps of "generated in real-

Art Unit: 2172

time by a speech recognition system" would have given those skilled in the art the tools to convert human noise into text data corresponding to the noise. This gives users the users the ability to speak words or phrases into an electronic device and have those corresponding words and phrases converted to text data on an electronic screen.

As per claims 16-17, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 7-8 and are similarly rejected.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 11, 18, 19, 20, and 21 have been considered but are moot in view of the new ground(s) of rejection.

--As per applicant's argument regarding "Unger does not disclose "compressing only said data element in said document . . .", have been considered but examiner maintains that Unger's teachings of the compiler compressing of text, is illustrative of compressing only certain data elements as claimed in applicant's claim language.

**Conclusion**

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 703-305-3802. The examiner can normally be reached on Mon-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone numbers for the

09/699, 609

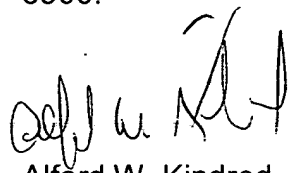
Application/Control Number: 09/699, 609

Page 6

Art Unit: 2172

organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100  
May 6, 2003